

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Henry Davis,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Civil Action No.: 4:10-cv-1563-TLW-TER
	)	
Jeryl Best; Dr. Samuel Seltzer, M.D.;	)	
Lori Benton; Unnamed Defendants	)	
to be Named (name unknown),	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

On June 17, 2010, the plaintiff, Henry Davis (“plaintiff”), proceeding pro se, filed this civil action. (Doc. #1). The case was referred to United States Magistrate Judge Thomas E. Rogers, III pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2), DSC.

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by the Magistrate Judge to whom this case had previously been assigned. (Doc. # 9). On August 31, 2010, the Magistrate Judge issued the Report. In the Report, the Magistrate Judge recommends that the complaint in this case be dismissed without prejudice and without issuance and service of process. (Doc. # 9). The Magistrate Judge also recommends that the plaintiff’s request for a subpoena be denied. The plaintiff filed no objections to the Report. Objections were due on September 17, 2010.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept,

reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. It is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED**. (Doc. # 9). For the reasons articulated by the Magistrate Judge, the complaint in this case is **DISMISSED** without prejudice and without issuance and service of process. The plaintiff's request for a subpoena is also **DENIED**.

**IT IS SO ORDERED.**

s/Terry L. Wooten  
United States District Judge

May 25, 2011  
Florence, South Carolina